

The **Board of Examiners for Nursing** held a meeting on May 20, 2015 at the Department of Public Health Complex, Room 470-A/B, 410 Capitol Avenue, Hartford, Connecticut.

BOARD MEMBERS PRESENT: Patricia C. Bouffard, RN, Chair
Mary M. Brown, RN
Lisa S. Freeman, Public Member
Ellen M. Komar, RN
Jennifer Long, APRN
Geraldine Marrocco, RN – *left 11:50 PM*
Gina M. Reiners, RN
Carrie Simon, Public Member

BOARD MEMBERS ABSENT: None

ALSO PRESENT: Stacy M. Schulman, Legal Counsel to the Board, DPH
Alfreda G. Gaither, Legal Counsel to the Board, DPH
Kathleen Boulware, Public Health Services Manager, DPH
Christian Andresen, Section Chief, Practitioner Licensing and Investigations, DPH
Jolanta Gawinski, Health Program Supervisor, DPH
Pamela Pelletier-Stevens, Nurse Consultant, DPH
Helen Centeno, Nurse Consultant, DPH
Brittany Allen, Staff Attorney, OLRC, DPH
Joelle Newton, Staff Attorney, OLRC, DPH
Leslie Scoville, Staff Attorney, OLRC, DPH
Diane Wilan, Staff Attorney, OLRC, DPH
Janice E. Wojick, Administrative Assistant, DPH
Gail Gregoriades, Court Reporter

Chair Patricia Bouffard called the meeting to order at 8:37 AM.

STUDENTS

Chair Bouffard welcomed students from University of Connecticut.

CHAIR UPDATES

There were no updates.

OPEN FORUM

There were no comments or concerns from the audience.

ADDITIONAL AGENDA ITEMS AND REORDERING OF AGENDA

No additional agenda items or reordering of agenda.

LEGISLATIVE UPDATE

Kathleen Boulware and Christian Andresen were present to update the Board on Legislative Issues. The 2015 Legislative Session ends at midnight on June 3, 2015 unless the budget has not been agreed upon. If not, there will be a Special Session as the budget has to be ratified by the end of the fiscal year which is midnight, June 30, 2015. Ellen Komar arrived during the legislative update.

Kathleen Boulware updated the Board on activity regarding medical assistant's giving vaccinations (SB:981), telemedicine and telehealth (SB:467), mandatory reporting of health care practitioners (HB:6287), and substance abuse and opiate prevention (SB:981). There was no reported activity on the "tech bill."

SCHOOL ISSUES – NCLEX SCORES – ANNUAL REVIEW

RN PROGRAMS

All RN Programs were provided with a copy of the NCLEX scores, student names, and out-of-state test takers via e-mail as requested. Fairfield University, BSN traditional program, was the only RN program who failed the 80% first time pass rate. They had a total of 21 CT test takers and 57 out-of-state test takers for a total of 78 students taking the NCLEX. Out of the 78 students, a total of 57 passed and 21 failed which gives the program a NCLEX score of 73%.

Mary Brown moved to request a Plan of Correction from **Fairfield University** and to request their attendance at the June 17, 2015 Board Meeting. The motion was seconded by Gina Reiners and passed unanimously.

Geraldine Marrocco then moved to place **Fairfield University's Traditional BSN Program** on Conditional Status for one year effective June 4, 2015. The motion was seconded by Lisa Freeman and passed unanimously.

The following RN Programs were placed on conditional status at the June 4, 2014 Board Meeting for failure to meet the 80% first time pass rate and can now be taken off conditional status effective June 4, 2015.

Gina Reiners moved that **Central CT State University** be removed from Conditional Status effective June 4, 2015. The motion was seconded by Carrie Simon and passed unanimously.

Mary Brown that **University of Saint Joseph Connecticut** be removed from Conditional Status effective June 4, 2015. The motion was seconded by Carrie Simon and passed. Gina Reiners recused herself from all discussion and voting.

Geraldine Marrocco moved that **St. Vincent's College – Day and Evening Programs** be removed from Conditional Status effective June 4, 2015. The evening program is slated for closure in October 2016. They have admitted their last class for the evening program. The motion was seconded by Carrie Simon and passed unanimously.

LPN PROGRAMS

All LPN Programs were provided with a copy of the NCLEX scores, student names, and out-of-state test takers via e-mail as requested. The **Stone Academy Day Program at the West Haven Campus**, was the only privately owned LPN program that failed the 80% first time pass rate. They had a total of 52 CT test takers and 2 out-of-state test takers for a total of 54 students taking the NCLEX. Out of the 54 students, a total of 38 passed and 16 failed which gives the program a NCLEX score of 70%.

Mary Brown moved that a letter be sent requesting representation from the West Haven Stone Academy Day Program to attend the Board's June 17, 2015 meeting to present their Plan of Correction. The motion was seconded by Lisa Freeman and passed unanimously.

Mary Brown then moved that the Stone Academy's West Haven Day Program be placed on Conditional Status for one year effective June 4, 2015. The motion was seconded by Carrie Simon and passed unanimously.

CTHSS Programs: A.I. Prince, Eli Whitney, and Vinal Tech

The above three CTHSS LPN Programs were placed on Conditional Status in June of 2013 for one year. Annual scores for May 1, 2013 through April 30, 2014 were reviewed and all three programs still had a score of first time test takers below the 80%. On June 4, 2014 the Conditional Status was continued for an additional year. Due to the fact that the CTHSS' next graduating class is in June of 2015, all three programs will remain on Conditional Status and scores will be reviewed at the October 21, 2015 Nursing Board Meeting.

The Board has requested the attendance of all three programs, A. I. Prince, Eli Whitney, and Vinal Technical Programs at their October 21, 2015 meeting, during which time the programs will have the opportunity to demonstrate their compliance with the regulations and/or submit an updated written Plan of Correction. Pursuant to the Regulations of Connecticut State Agencies, Section 20-90-47 (g) (h), the Board may, after a hearing, remove a program for the list of approved programs if the program has been on Conditional Approval for at least two years and has failed to correct the identified deficiencies which caused them to be placed on Conditional Status.

SCHOOL ISSUES – EDUCATIONAL PROGRAM STATISTICS – ANNUAL REVIEW

RN PROGRAMS

Pamela Pelletier-Stevens apprised the Board of her findings during her annual review. The 2014 total student population increased by 304 students and the attrition rate increased by 1.25%. The LPN acceptance into RN programs is low – only 56 students. The total number of students admitted to the RN programs rose slightly by 53 students and the total number of graduates decreased by 80 students. The most amazing statistic for 2014 was that 4,212 qualified students were offered a spot in an RN Program and only 2,234 were actually admitted which is approximately 50%.

LPN PROGRAMS

The 2014 total student population increased by 121 students and the attrition rate increased by 4%. The number of LPN graduates decreased by 231 students. The total number of qualified students admitted to the LPN programs was 1,651 and only 1,203 were admitted to the LPN programs. Out of the student's admitted, only 1,055 students appeared on the first day of classes – close to 88%.

Due to the reporting inconsistencies, Pamela Pelletier-Stevens will forward to the Board the survey monkey tool used for all RN and LPN Programs for review. The Board will make suggestions/revisions to the tool. The Board is requesting that all academic institutions be present when the Board reviews the annual statistics in the Spring of 2016.

SCHOOL ISSUES – CT TECHNICAL HIGH SCHOOL SYSTEM – LPN PROGRAM CURRICULUM CHANGE

Patricia Fennessy, CTHSS Education Consultant, Deborah Detrick, A. I. Prince Department Head, Karen Ivers, Bullard-Havens Department Head, Jillian Zupan, Vinal Tech, were present for this discussion regarding LPN Program Curriculum Change.

Helen Centano provided the Board with the overall review of CTHSS's request for a curriculum change. According to CGS 20-90-55, each LPN program must be a minimum of 1,500 hours with 50% of contact hours in supervised direct client care experience and observational experiences appropriate to the program's educational outcomes (750 hours of didactic and 750 hours of supervised direct client care experiences). CTHSS is not proposing any changes in the supervised direct client care and observational experience hours.

The Proposed Changes: overall theory increased by six hours (one day) and experiential decreased by one day (six hours).

Semester 1: added Gerontologic-Nursing – 25 hours

Semester 2: added Pharmacology II: application eight hours (within Med/Surg Nursing II) and experiential decreased by one day

Semester 3: added Pharmacology III: application eight hours and Pediatrics 20 hours (within Med/Surg Nursing IV)

Time Table for Proposed Changes: August, 2015, prior to the start of a new class of students. The outcomes and goals for the proposed changes were reviewed. The rationales for the changes are to align with the 2014 NCLEX-PN Test Plan, ensure that the NLN competencies for LPN were included in the curriculum, and to address identified areas of the curriculum that will enhance theory and clinical preparedness of graduates.

Geraldine Marrocco moved to approve the curriculum for the six LPN Program in the CT Technical High School System effective August, 2015. CTHSS must provide the Department with the updated Student Handbook, a snapshot of the Web Site and/or other written communication to reflect the approved curriculum changes. The motion was seconded by Gina Reiners and passed unanimously.

SCHOOLS ISSUES: STONE ACADEMY – WAIVER REQUEST

Dale DeMille, LPN Program Manager for Stone Academy, was present to request a one-year temporary faculty education waiver for Kevin Mooney for their East Hartford campus. Mr. Mooney is currently a matriculated student at Sacred Heart University with an anticipated graduation date of December, 2016. Geraldine Marrocco moved to grant the one-year temporary faculty education waiver for Kevin Mooney. The motion was seconded by Jennifer Long and passed with all in favor with Chair Bouffard opposed.

SCOPE OF PRACTICE – CORRESPONDENCE/STATISTICS ON INQUIRIES

Helen Centeno reviewed the Scope of Practice Inquiries received in the Board Office during the month of April. There were several scope of practice questions regarding Med Spas by APRNs, RNs, and LPNs. There were again questions of LPN supervision in the work place. As always there remains confusion regarding the APRN Independent/Collaborative Practice which is on the Board's Web Page.

NCSBN UPDATE

Kathleen Boulware and Geraldine Marrocco attended the **APRN Roundtable Seminar** at the NCSBN in Chicago on April 15, 2015.

Prescriptive Drug Monitoring: Presenters at the morning session discussed the Prescriptive Drug Monitoring Program (PMP). Started in 1939, in California, this program provides data indicating ordering of scheduled drugs by prescribers within individual states and in some states provide data across state lines. Use of this data is not meant to be punitive, however, the data can be used for disciplinary purposes at the state level. States are striving to achieve "real time reporting" where the notification of the script arrives at the data bank within five minutes. Currently there is a delay of at least one week in some states. Another issue was the need to get reports shared from state to state. Missouri, for example, is not connected to reporting and it's been discovered that many patients are crossing state lines to get scripts filled.

The current drug of concern is Tramadol (Ultram) which is now a schedule II.

There are concerns that the program is not user friendly.

Discussion regarding where the program is "housed." Should it be with the Board of Pharmacy or the Department of Health in specific state?

Best Practice and solutions for APRN Clinical Placements: Currently graduate nursing education is facing a crisis with obtaining preceptors for graduate students enrolled in NP (Nurse Practitioner) programs. A panel discussion provided some strategies for improving relationships with preceptors and ideas concerning the competition among other NP programs and PA programs. Consideration to Competency Based Assessment of students, as well as using inter professional learning opportunities. We need to rethink the traditional method of NP education. For example, perhaps increasing the ratio of preceptor to student from 1:1 to 1:2. Providing some standardized manuals for preceptor training, obtaining funds and using more opportunities for simulation, front loading didactic content for longitudinal learning experiences, forming consortiums with other programs, work diligently on building relationships with preceptors and facilities, paying the facilities for some of the financial losses they may incur due to student slow down, get regular feedback from preceptors on student achievement. It was noted that there is a great demand for NPs in this country and data reveal that approximately 13,000 qualified applicants were denied admission to NP programs due to lack of preceptors and faculty.

Task Force: Mary Ann Alexander: Chief Office of Nursing Regulation discussed the Consensus Model and LACE document. Going forward all certification exams will be aligned with the specialties of one of the 8 concentrations of NP education. Old exams are being phased out and new exams will require that the NP candidate taking the exam show evidence of successful completion of the educational requirement needed. In addition, many states will enter language that specifies the specific NP population foci. A recent survey also indicated that many schools curricula do not match the population and they will be scrutinized. Programs must be aligned with the specific examinations.

A heated debate ensued with many of those in attendance arguing that there was little or no consideration for many currently practicing NPs educated under a different framework in the LACE document. Psychiatric NPs often were educated under the CNS modes, Adult Nurse Practitioners predate the AGNP (and in many cases take caseloads of patients from the age of 16- senescence). These are examples of those NPs who should be "grandfathered" in especially with the language that may appear in state statutes. This discussion ended due to time, however, members will continue to campaign for an official consensus in language.

Patricia Bouffard attended the **Special Delegate Assembly** on May 4, 2014 at the NCSBN in Chicago regarding the **Nursing Licensure Compact**. At that meeting the Revised Nurse Licensure Compact and the Advanced Practice Registered Nurse Compact were approved.

The RN Nurse Licensure Compact allows RN and LPNs to have one multistate license, with the ability to practice in both their home state and other Compact states. Currently there are 25 states (AZ, AR, CO, DE, ID, IO, KY, ME, MA, MI, MS, NE, MO, NH, NM, NC, ND, RI, SC, SD, TE, TX, UT VA, and WI) in the Compact.

The APRN Nurse Licensure Compact allows an APRN to hold one multistate license with a privilege to practice in other APRN Compact states.

The original Compact was developed in 1997 by Boards of Nursing who were the first health care provider regulatory body to develop a model for interstate practice. The Compact was implemented in 2000 and has been operational and successful for more than 15 years.

Influenced by the growing need for nurse mobility and clarification of the authority to practice for many nurses currently engaged in telenursing or interstate practice, the Boards have been working over the past several years to revise the Compact to ensure it reflects best practices and provides for continued high standards of public protection. Both new Compacts are the result of their diligent work.

MINUTES

FEBRUARY 18, 2015

Jennifer Long moved to accept the minutes as written. The motion was seconded by Mary Brown and passed with two abstentions: Lisa Freeman and Ellen Komar.

APRIL 1, 2015

Geraldine Marrocco moved to accept the minutes as written. The motion was seconded by Lisa Freeman and passed with one abstention; Gina Reiners.

APRIL 15, 2015

Lisa Freeman moved to accept the minutes as written. The motion was seconded by Geraldine Marrocco and passed unanimously.

MOTION FOR SUMMARY SUSPENSION – FELICITA COLE, RN

OLRC Staff Attorney Leslie Scoville presented the Board with a Motion for Summary Suspension for Felicita Cole. Ms. Cole was not present and did not have representation at this meeting.

Gina Reiners moved and Geraldine Marrocco seconded to grant the Department's Motion for Summary Suspension. The motion passed unanimously.

Chair Bouffard signed the Summary Suspension Order and the Notice of Hearing scheduling the hearing for June 17, 2015 at the Legislative Office Building. Mary Brown did mention that the nursing program information was not included in the packet presented to the Board.

MOTION FOR SUMMARY SUSPENSION – BRENDA BERG, RN

OLRC Staff Attorney Leslie Scoville presented the Board with a Motion for Summary Suspension for Brenda Berg. Ms. Berg was not present although she was represented by counsel, Attorney Stephen Turner, Jr. Attorney Turner requested to present the Board with a Voluntary Surrender which Attorney Scoville rejected on behalf of the Department.

Jennifer Long moved, seconded by Mary Brown, to grant the Department's Motion for Summary Suspension which passed unanimously.

Chair Bouffard signed the Summary Suspension Order and the Notice of Hearing scheduling the hearing for June 17, 2015 at the Legislative Office Building. Attorney Turner accepted service on behalf of Ms. Berg.

CONSENT ORDER – ALICE C. REATH, RN

OLRC Staff Attorney Leslie Scoville presented the Board with a Consent Order for Alice C. Reath. This was presented at the April 15, 2015 meeting which the Board had voted to table as the Board wanted the probation to be for a full six months. Changes were agreed upon by Ms. Reath and the Department and the language was changed and initialed by both parties in the Consent Order. Ms. Reath was not present nor did she have representation at this meeting. Mary Brown then moved to accept the Consent Order as amended. The motion was seconded by Ellen Komar and passed unanimously. Chair Bouffard signed the Order.

CONSENT ORDER – LINDA BARD, LPN

OLRC Staff Attorney Joelle Newton presented the Board with a Consent Order for Linda Bard. Ms. Bard was not present and did not have representation at this meeting. Gina Reiners moved to accept the Consent Order as written. The motion was seconded by Geraldine Marrocco for discussion. When Chair Bouffard called for the vote, the motion failed as all were opposed. Gina Reiners then moved that the Board table the ruling on this Consent Order as the Board is requesting more clarity regarding private hires before making a final ruling. The motion was seconded by Lisa Freeman and passed unanimously.

CONSENT ORDER – PAMELA GLINES, APRN, RN

OLRC Staff Attorney Joelle Newton presented the Board with a Consent Order for Pamela Glines. Ms. Glines was not present and did not have representation at this meeting. Ellen Komar moved to accept the Consent Order as written. The motion was seconded by Geraldine Marrocco and passed unanimously. Chair Bouffard signed the Order.

CONSENT ORDER – KATHERINE STELLA, RN

OLRC Staff Attorney Joelle Newton presented the Board with a Consent Order for Katherine Stella. Ms. Stella was not present and did not have representation at this meeting. Jennifer Long moved to accept the Consent Order as written. The motion was seconded by Mary Brown and passed unanimously. The Board did have concerns regarding the frequency of relapses although they felt that strict monitoring was in place.

MEMORANDA OF DECISION

DONNA STEVENSON, RN

Gina Reiners moved to affirm the Board's prior decision to revoke Ms. Stevenson's license. The motion was seconded by Geraldine Marrocco and passed unanimously.

GINA TAVANO, UNLICENSED RN

Gina Reiners moved to affirm the Board's prior decision for Ms. Tavano to cease and desist the practice of registered nursing as she does not hold a nursing license in the State of Connecticut. The motion was seconded by Geraldine Marrocco and passed unanimously.

JENNIFER C. MACIEL, LPN

Jennifer Long moved to affirm the Board's prior decision to revoke Ms. Maciel's license. The motion was seconded by Mary Brown and passed unanimously.

PREHEARING REVIEW – MELISSA PALAIA, LPN

OLRC Staff Attorney Diane Wilan presented the Board with the above Prehearing Review. Attorney Mary Alice Moore Leonhardt was present with Ms. Palaia. After reviewing the documentation presented, that Board stated that there appeared to be a lack of communication regarding the verbal order from the RN to the LPN. The LPN had a question regarding the amount of the dose and the RN was not available at the time for clarification. It was a mistake in judgement and the medication error was the result of a series of events. The Respondent has demonstrated competency since the event took place in December of 2012. Ms. Palaia has successfully completed coursework in medication errors, effective delegation; understanding responsibility, authority and accountability, medication errors: detection and prevention, the basics of pharmacology for nurses, and critical thinking for nurses.

It was the recommendation of the Board that that there be no additional discipline from the Board level. The Board did state that you should always own your practice. If there is any doubt, always take the time to follow through.

HEARING – DAWN PALMER, RN

OLRC Staff Attorney Brittany Allen was present representing the Department of Public Health. Ms. Palmer was present pro se. Geraldine Marrocco left for the day prior to the testimony in this hearing. Testimony was provided by Ms. Palmer and Jolanta Gawinski, Health Program Supervisor of the Department of Public Health. Jennifer Long moved to deny the Department's Motion to Deem Allegations Admitted as Ms. Palmer had responded to the charges since the Motion was mailed. The motion was seconded by Carrie Simon and passed unanimously.

Ellen Komar moved that the Board go into Executive Session to review the medical records and to question Ms. Palmer regarding those records. The motion was seconded by Jennifer Long and passed unanimously. The Board recessed for lunch at 1:14 PM and returned at 2:00 PM and went back on the record in Executive Session. At 2:45 PM Lisa Freeman moved that the Board return to the Public Session of the hearing. The motion was seconded by Ellen Komar and passed unanimously. Observers were invited back into the hearing. Closing Statements were made by the Department and the Ms. Palmer and the hearing closed.

Mary Brown moved that Ms. Palmer be found on all charges based on the preponderance of the evidence presented. There was no objective evidence presented to support the Respondent's testimony. The motion was seconded by Jennifer Long and passed unanimously.

Mary Brown moved that Ms. Palmer's license be placed on probation for two years, with weekly drug/alcohol reports throughout the entire probationary period, monthly employer and therapist reports throughout the entire probation, and also attend at least one weekly support group meeting. The Board did recommend the peer support group Nurses for Nurses. The motion was seconded by Lisa Freeman and passed unanimously.

Ellen Komar left for the day at this time which resulted in the Board losing its quorum.

The next two hearings did go forward although the Board would not be able to Fact Finding until the June 17, 2015 Board Meeting.

HEARING – CHRISTINE HETRICK-SHAMASNA, RN

OLRC Staff Attorney Diane Wilan was present representing the Department of Public Health. Ms. Hetrick-Shamasna was present pro se. Testimony was provided by Ms. Hetrick-Shamasna.

Prior to the start of the hearing, the Board had lost their quorum. The hearing completed and the record was closed. Fact Finding for this case will take place at the June 17, 2015 Nursing Board Meeting.

HEARING – VIRGINIA JULIAN, RN

OLRC Staff Attorney Leslie Scoville was present representing the Department of Public Health. Ms. Julian was present with counsel, Attorney Mary Alice Moore Leonhardt. Testimony was provided by Ms. Julian.

The Board had lost their quorum prior to the start of the hearing. As Ms. Julian and counsel had been waiting all day, the decision was made to go forward with the hearing. Testimony was provided and at the conclusion of the hearing, the record was closed with no additional documents expected. Fact Finding for this case will take place at the June 17, 2015 Nursing Board Meeting.

Prior to the Fact Finding, which will take place at the June 17, 2015 Board Meeting, all Board Members will receive the hearing exhibits and transcripts regarding both the Christine Hetrick-Shamasna and Virginia Julian hearings.

ADJOURNMENT

It was the unanimous decision of the Board Members present to adjourn this meeting at 5:15 PM.

Patricia C. Bouffard, D.N.Sc., Chair
Board of Examiners for Nursing